

Filed for intro on 02/08/95
Senate Bill _____
By _____

House No. HB0847
By Bragg, Sr.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 82,
relative to utility districts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated Section 7-82-201(a), is amended by deleting from the first sentence the language "may be submitted" and by substituting instead the language "shall be submitted to the Utility Management Review Board for review and comment, and".

SECTION 2. Tennessee Code Annotated Section 7-82-201(a), is further amended by inserting the following as new subdivision (3) and renumbering the remaining subdivisions appropriately:

(3) A statement showing why existing utility districts, or municipal or county services could not adequately provide the needed service because of cost, time, or other service delivery factors; and

SECTION 3. Tennessee Code Annotated Section 7-82-202(a), is amended by inserting the following sentence at the beginning of subsection (a) as the first sentence:

The Utility Management Review Board shall make its review and final comments a part of the creation petition and shall forward such comments and petition to the county executive of any county in which the proposed district serves.

SECTION 4. Tennessee Code Annotated Section 7-82-202(a), is further amended by inserting the following sentence before the last sentence of subsection (a):

The county executive shall read the final comments of the Utility Management Review Board to persons at the public hearing and make copies available if requested by those in attendance.

SECTION 5. Tennessee Code Annotated Section 7-82-202(b), is amended by deleting the first sentence and substituting instead the following:

On the issue of whether the public convenience and necessity requires the creation of the district, the county executive shall take into consideration the review and final comments of the Utility Management Review Board, and the ability of an existing utility district or an incorporated city or town to serve the area, and such existing utility district or city or town at the hearing may make known its intention to serve the area.

SECTION 6. Tennessee Code Annotated Section 7-82-202(b), is further amended by deleting from the third sentence the language “city or town” wherever it may appear and substituting instead the language “existing utility district or city or town”.

SECTION 7. Tennessee Code Annotated Section 7-82-202(b), is further amended by deleting from the fifth sentence the language “city or town” and substituting instead the language “existing utility district or city or town”.

SECTION 8. Tennessee Code Annotated Section 7-82-202(b), is further amended by deleting from the sixth sentence the language “city or town” and substituting instead the language “existing utility district or city or town”.

SECTION 9. Tennessee Code Annotated Section 7-82-202(d), is amended by inserting the following language after the language and punctuation "state," and before the word "and" into the first sentence of subsection (d):

the Utility Management Review Board

SECTION 10. This act shall take effect on July 1, 1995, the public welfare requiring it.